

Original U.S. Patent No. 5,634,706  
Serial No. 09/323,636  
Applicant - James E. Barry  
Art Unit (Examiner) - 2875 (Quach)  
Title: ILLUMINATED GAS TANK OR SHELL

F3  
Conf'd  
E7  
Conf'd  
an adjacent area.

27. (Amended) A motorcycle gasoline tank or motorcycle hollow body shell disposed where a conventional motorcycle gasoline tank is normally disposed, comprising:

a non-transparent body member shaped as a motorcycle gasoline tank; and

an illumination member associated with said body member.

#### REMARKS

This Amendment is responsive to the Office Action dated November 30, 2000. In that Action, the Examiner rejected claims 17 to 27 under 35 U.S.C. §102(b) and §103. The Examiner also objected to the previous Amendment under 35 U.S.C. §132 with respect to claim 26 and under 37 C.F.R. §1.121(b) with respect to claims 24 and 25. Claim 26 was also rejected under 35 U.S.C. §112, first paragraph and claims 22-25 were rejected under 35 U.S.C. §112, second paragraph. Applicant respectfully traverses the Examiner's rejections and objections.

Claims 1-16 were allowed.

Claims 17-27 have been amended. No new matter has been

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inserted. In compliance with 37 C.F.R. §1.121(b)(2)(ii), Applicant respectfully states the claims 1-27 remain pending in the application.

The claims have been amended to overcome all objections and Section 112 and Section 132 rejections.

In compliance with 37 C.F.R. §1.121(b)(2)(iii), Applicant respectfully states the following:

(a) Support for substituting "motorcycle" for the word "vehicle" in claims 17-27 is found throughout the disclosure and in the drawings, such as Col. 1, lines 8-10.

(b) Support for the addition that the gasoline tank is attached to the frame of the motorcycle in claim 22 is found at least at Col. 3, lines 27-30; Col. 6, 28-31; Figures 1, 3, 8 and 10.

Claims 17-27 have been amended to state that the body member is shaped like a motorcycle gasoline tank and/or that the gasoline tank is a motorcycle gasoline tank. None of the relied references are for motorcycle gasoline tanks, nor do they disclose attaching or incorporating an illumination member with a motorcycle gasoline tank. Accordingly, Applicant respectfully requests that the

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Examiner withdraw the current rejections.


Applicant has completely responded to the Office Action dated November 30, 2000.

In order to facilitate prosecution of this application, the Examiner is respectfully requested to contact the undersigned with any comments or suggestions the Examiner may have.

Any additional charges, including Extensions of Time, please bill our Deposit Account No. 13-1130.

Respectfully submitted,  
Malin, Haley & DiMaggio, P.A.

By

  
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I:\8688\AMEND\6808(3rdAmend-Entered-RCE)